CRIMINAL MOTION PACKAGE SUMMARY

Key Points & Legal Arguments

CASE NO. D-01-CR-25-011146
DEFENDANT: CAUSTIN LEE MCLAUGHLIN

"The prosecution lacks the necessary evidentiary foundation to proceed."

MOTION TO DISMISS: LACK OF PROBABLE CAUSE

PRIMARY OBJECTIVE

Immediate dismissal of all charges with prejudice to prevent further due process violations.

LEGAL BASIS

Filed pursuant to Maryland Rule 4-252 and the Court's inherent authority.

CORE ARGUMENT

The State cannot establish probable cause without the testimony of unavailable witnesses.

KEY PRECEDENT

Heck v. Humphrey (1994) and Wallace v. Kato (2007) support pretrial challenges.

Requested Action: Dismissal with Prejudice

CRITICAL STATEMENT OF FACTS

SINGLE SOURCE

All charges derive exclusively from the sworn statements of Baltimore Police Officer Koi.

NO INDEPENDENT EVIDENCE

No probable cause exists independent of Officer Koi's testimony.

STATE CONCESSIONS

The State has twice requested postponements, conceding unavailability of both the alleged victim and Officer Koi.

RELIABILITY TESTING

Without the officer's presence, the credibility of the charges cannot be tested.

"Evidentiary foundation is non-existent without witness availability."

> **"Probable cause collapses when the sole witness is unavailable for examination."**

LEGAL ARGUMENT: LACK OF PROBABLE CAUSE

RELIABILITY REQUIREMENT

Illinois v. Gates (1983) establishes that probable cause requires reliability testing. Without the officer's presence, reliability cannot be verified.

CREDIBILITY COLLAPSE

When a case rests on a single officer who is unavailable for examination, the legal basis for the charges collapses entirely.

FUNDAMENTAL FAIRNESS

Maintaining charges without an evidentiary foundation violates the core principles of due process and judicial integrity.

JACKSON V. VIRGINIA (1979)

The Court held that no prosecution should proceed in the absence of legally sufficient evidence to support the charges.

PROTECTING THE INTEGRITY OF THE JUDICIAL SYSTEM

DUE PROCESS & INTEREST OF JUSTICE

DUE PROCESS VIOLATION

Continued pendency of charges without foundation is fundamentally unfair and violates constitutional protections.

JUDICIAL INTEGRITY

Courts may dismiss when judicial integrity is at stake, particularly in cases of prosecutorial abandonment.

PROSECUTORIAL STATUS

The State's repeated inability to produce essential witnesses constitutes a failure of evidentiary support.

FINAL REMEDY

Dismissal with prejudice is the only appropriate remedy to protect the Defendant from ongoing legal jeopardy.

REFERENCE: STATE V. SIMMS, 420 MD. 705 (2011)

EXHIBITS & FILING CHECKLIST

REQUIRED EXHIBITS

- **Exhibit A:** State's Attorney's Request for Postponement
- **Exhibit B:** Notice of Unavailability of Officer Koi
- **Exhibit C:** Affidavit of Defendant (Lack of Probable Cause)
- **Exhibit D:** Case Law Appendix (Bluebook Formatted)

FILING STEPS

- [x] Submit **Original + 2 copies** to Clerk, District Court (580 Wabash Ave).
- [x] Serve copy on **Assistant State's Attorney** (120 E. Baltimore St).
- [x] Include **$45 motion fee** or IFP application.
- [x] Attach **Proposed Order** and self-addressed stamped envelope.